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SUBJECT: Darfur: Overview of Protection Trends in 2005  
- the NGO Response

REF: (A) Khartoum 272, (B) Khartoum 308

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Summary  
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¶1. This cable represents the third and final in a series to review the issue of protection and the related humanitarian response in 2005. In the Darfur crisis, humanitarian protection - defined as efforts to mitigate the risks of violence, abuse, harassment, or exploitation of vulnerable groups - is one of the most vital components of the international response. The first two cables outlined trends in protection issues and the general international response; this cable will briefly outline the specific contributions and programs of the non-governmental organization (NGO) community relating to protection in Darfur. Through their extensive field presence, NGOs are carrying out the largest portion of protection activities, translating concepts into action to help the most vulnerable individuals and groups in Darfur. Protection programs work to meet the basic needs of project beneficiaries and simultaneously reduce the threat of violence to civilian populations; examples include responding to rape, livelihoods interventions that mitigate the risk of sexual violence, legal aid, and programs that meet the needs of children. In addition to implementing programs, NGOs also serve as the primary information source for the humanitarian community about conditions on the ground throughout Darfur. End Summary.

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Response to Rape and Sexual Violence  
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¶2. Rape and other forms of sexual- and gender-based violence (SGBV) have been the leading protection issue threatening war-affected women and children in Darfur. Since 2004, human rights groups, the U.N., and NGOs have extensively documented the extent of the violence across the region, and USAID responded by funding a significant number of activities in 2004 and 2005 to mitigate these abuses. Following a July 2005 visit by U.S. Secretary of State Condoleezza Rice, USAID augmented resources and launched the USD 15 million Combating Violence Against Women Initiative (VAWI). One of the important activities implemented in the initiative is the provision of

specialized medical treatment for victims of rape and other forms of sexual assault, referral for more extensive medical needs, counseling, legal assistance, women's focus groups, and information dissemination networks.

13. The work of the health clinics delivering services to victims of GBV has been seriously handicapped by the Sudanese law that requires victims to file a "Form 8" with police in order to access medical care or pursue legal action. Sudanese government authorities often harassed and intimidated international and Sudanese humanitarian workers who provided care to victims of sexual assault and who had not completed the form. Through extensive advocacy (reftel), the Sudanese government lifted this requirement in October 2005. In practice, however, local health care providers and police are often unaware of the reforms or are unwilling to accept the new policy. In November, the Sudanese government certified the International Rescue Committee (IRC), USAID's largest partner in Darfur, to complete the Form 8 themselves in order to allow rape survivors to launch a criminal complaint. This was an extraordinary step taken by the government in recognizing the competency of an NGO to complete a document that becomes part of the official record of a criminal complaint/case. It is also a strong commentary on the success of the international community's advocacy on this issue.

14. While the authorization represents progress, much more work needs to be done to ensure comprehensive application of the new procedures. NGO staff continue to express reservations about offering women the option to file a Form 8 for the purpose of pressing charges either

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out of fear of harassment or because they worry it will place undue pressure on women to report incidents to the police. (Comment: NGOs should not preclude women from making their own decisions by withholding information on possible courses of action. Despite an abysmal prosecution record regarding rape in Darfur, there is no pressure on authorities to improve their prosecution record without rape victims filing cases. End comment.)

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Mitigation  
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15. NGO protection programs work not only to respond to incidents of violence, but also to prevent them. Camp-based income generation projects such as mat weaving, poultry raising, fuel-efficient stove making, and other craft and food production reduce the need for women to travel outside the security of the camp or community to collect firewood or seek employment.

16. Several partners also provide instruction and materials to construct fuel-efficient stoves, which are designed to require less fuel wood, thereby reducing the frequency of wood gathering and the accompanying risk of attack. However, the actual protective qualities of this intervention remain in question. Survey results from one partner NGO indicate that its fuel-efficient stove program has resulted in a reduction of the amount of time spent collecting household fuel, from seven days a week to three days. Other partners, however, have observed that women may adopt the use of fuel-efficient stoves, but continue to collect fuel wood at the same rate and sell the excess for income, thus maintaining the same exposure to attack.

17. Another method of mitigating attack on women and girls during firewood collection has been the firewood patrols organized by NGOs and carried out by the African Union Mission in Sudan (AMIS) civilian police (CIVPOL)

and Sudanese government police. In theory, the idea of firewood patrols is very straightforward, but in practice the involvement of NGOs is necessary to keep AMIS and government police on schedule and to communicate with beneficiaries. In Kalma camp, the firewood patrols facilitated by the NGO Norwegian Refugee Council (NRC) have made a dramatic difference in reducing the attacks on women collecting firewood. NRC staff members travel to the point of departure three times a week to meet with the women's firewood committee and often attempt to persuade them to wait for the AMIS and government forces. The patrols have been consistently late, according to NRC, because the Sudanese government police lack a vehicle, officers, or simply fail to show.

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Legal Aid and Related Protection Programs  
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¶8. With support from the U.N. Development Program (UNDP), IRC conducts training in international humanitarian law for Sudan Liberation Army (SLA) and Arab militia combatants and provides legal assistance to internally displaced persons (IDPs). NGOs also engage in family tracing to unite minors separated from family members during displacement and collaborate with the U.N. Children's Fund (UNICEF) and the U.N. Population Fund (UNFPA) to conduct human rights and sexual- and gender-based violence training for Sudanese government police and other authorities.

¶9. Legal aid and legal rights awareness activities have become an integral part of the protection response in Darfur. USAID has been a lead supporter of an increase in legal aid and legal rights awareness activities during the past six months. Current interventions help to build the capacity and coordination of a newly developed Darfur Legal Aid Network; cover case fees for conflict-affected persons who have been victims of violence and human rights abuses; provide equipment and program support to legal aid organizations; and support legal rights

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awareness workshops and paralegal trainings for IDPs.

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Camp Coordination  
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¶10. In the beginning of the Darfur crisis, the Sudanese government Humanitarian Affairs Commission (HAC) was the only camp management entity, and no one organization was coordinating humanitarian activities. To supplement HAC management, the donor community began to fund camp coordinators to ensure sectoral coverage, rationalize service provision, share information about the camp, and enhance protection. Many camps coordinators organize regular protection working group meetings that provide fora for the development, implementation, management, and monitoring of local protection strategies.

¶11. Camp coordination activities can include training on practical protection activities such as monitoring and reporting, basic human rights, and the Guiding Principles on Internal Displacement. Protection monitoring is important in identifying vulnerable groups and their needs, improving understanding of socio-political dynamics and trends affecting IDPs, and referring human rights and international law violations to the U.N. for investigation. It is often the NGO acting as camp coordinator that provides the "big picture" on protection issues, communicates this to U.N. agencies, and advocates for changes with local authorities. Some NGOs that only implement programs in health or income-generation will often not want to put their specific program at risk by sharing information. In this case, the camp coordinator

can raise issues with authorities, the IDP population, and U.N. agencies.

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Child Protection  
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¶12. With focus placed on responding to women's violence and meeting basic humanitarian needs in Darfur, the international community allocated fewer resources to supporting children's protection activities in 2005. Save the Children/U.S. and IRC currently operate child safe centers and protection programming for children. These programs, however, primarily provide safe havens for play, and additional programs are needed such as greater psychosocial support, educational opportunities, and job skills training. Despite limited resources, NGOs specializing in child protection began work very early in the crisis, and children in camps are receiving primary education that would be largely unavailable in their villages of origin.

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Presence  
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¶13. In the beginning of the conflict, the international community sought to provide protection first and foremost by increasing their physical presence across Darfur. This continues to be a strategy employed in the protection response because some argue that the presence of international actors allows them to witness events and deter those who perpetrate violence in Darfur - although the magnitude of benefit is often debated. In 2005, some NGO partners expanded operations in previously underserved areas such as the Al Deain locality of South Darfur, the Kulbus corridor and Wadi Saleh locality of West Darfur, and the area surrounding Fata Borno in North Darfur. In 2005, USAID supported 14 NGO partners to implement some 400 different projects in 190 IDP locations in Darfur. However, presence remained limited in many other areas, particularly those controlled by the SLA and other opposition groups. Where operational, humanitarian workers are in a position to be in daily contact with affected communities and local government authorities, allowing them to directly monitor human rights abuses. NGOs use this knowledge of local dynamics to design and administer programs in multiple sectors

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that work to meet the needs of communities while addressing protection concerns.

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Comment  
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¶14. Security remains the overriding threat to programs addressing the needs of conflict-affected communities in Darfur, including the enhancement of protection. In addition, bureaucratic impediments imposed by the Sudanese government appear to be targeting particular sectors such as women's health and legal assistance.

¶15. If large budget reductions remain throughout the year ahead, the specific implications for protection programming may be more severe than other sectors. The reason for this is that several organizations with a weak or modest protection capacity may phase out that aspect of operations if forced to reduce costs and prioritize responses. While some NGO staff working primarily in other sectors remain cognizant of protection concerns, efforts to mainstream protection will suffer if NGOs no longer retain staff dedicated to this purpose.

¶16. Even if the security situation were to stabilize,

funding limitations may also impact the ability of NGOs to maintain substantial operations in rural communities. This decreased geographic presence would diminish response capacity and reduce access to potentially vulnerable populations. Abuses in such locations may increase, as perpetrators feel emboldened by the absence of the international community.

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